

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CENTRAL RAILROAD, INC.,  
Plaintiff,

v.

SPRINGFIELD TERMINAL RAILWAY  
COMPANY and BOSTON AND MAINE  
CORPORATION,  
Defendants

Civil Action No.: 04-30235-MAP

**PLAINTIFF'S ASSENTED TO MOTION TO RE-SCHEDULE THE STATUS  
CONFERENCE SET FOR FEBRUARY 24, 2006**

The plaintiff, New England Central Railroad, Inc. ("NECR") hereby moves, with the assent of the defendants, that the *Status Conference* scheduled for February 24, 2006, at 3:00 p.m. be re-scheduled to another date convenient to the court. As grounds therefore, the plaintiff's counsel states that he is scheduled to appear before Magistrate Collins in Boston on the matter entitled *Mary L. Carta, Admx. v. Lumberman's Mut. Cas. Co., et. al.*, C.A. No.: 03 12237 NG, concerning the defendants' *Joint Motion to Disqualify Counsel*.

WHEREFORE, the NCR, through its counsel, requests that this Honorable Court allow the within motion and re-schedule the *Status Conference* to a date convenient to the court's calendar.

Respectfully submitted,  
NEW ENGLAND CENTRAL RAILROAD, INC.,  
by its attorneys,

/s/ Richard A. Davidson, Jr.

Michael B. Flynn BBO# 559023  
Richard A. Davidson, Jr. BBO# 552988  
FLYNN & ASSOCIATES, P.C.  
400 Crown Colony Drive, Suite 200  
Quincy, MA 02169  
(617) 773-5500

Assented to by:

/s/ Robert B. Culliford  
Robert B. Culliford BBO# 638468  
Counsel for the Defendants  
Boston and Maine Corporation  
Springfield Terminal Railway Company

Dated: February 22, 2006